1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain coated confectionery products and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 9,750,267 and 11,317,640. *Id.* The complaint further alleges that a domestic industry exists or is in the process of being established. *Id.* In addition to the Terminated Respondent, the notice of investigation named the following respondents: Cibo Vita, Inc. of Totowa, New Jersey; Cibo Vita Founders, Inc. of Wilmington, Delaware; and New Cibo Vita, LLC of Wilmington, Delaware (collectively, ''Respondents''). *Id.* The Office of Unfair Import Investigations is not participating in the investigation. *Id.*

On July 30, 2026, Complainant filed a motion to amend the complaint and notice of investigation to add the Added Respondent and to terminate the Terminated Respondent. The motion states that Respondents do not oppose the motion.

On August 3, 2026, the ALJ issued the subject ID (Order No. 7) granting the motion pursuant to Commission Rule 210.21(a)(1) and 210.14(b), 19 CFR 210.21(a)(1) and 210.14(b). In accordance with Commission Rule 210.21(a)(1), the ID notes that ''there are no agreements written or oral, express or implied . . . between Complainant and the Terminated Respondent.'' ID at 4. In addition, the ID finds good cause under Commission Rule 210.14(b) for adding the Added Respondent because the ''identification of the substitute entity was based on information obtained during discovery.'' *Id.* The ID also finds no prejudice to the public interest or the rights of the parties participating in this investigation. *Id.* at 5. The ID explains that the proposed amendment ''will not necessitate a change in the substantive scope of the investigation because the proposed amendment is essentially a substitution.'' *Id.* The ID further finds that ''the investigation is still in relatively early stages and there are several months remaining in fact discovery.'' *Id.*

No petition for review of the subject ID was filed.

The Commission has determined not to review the subject ID. AnaBio Technologies Unlimited Company is added as a respondent in this investigation, and AnaBio Technologies, LTD. is terminated from the investigation.

The Commission vote for this determination took place on September 1, 2026.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: September 1, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–18102 Filed 9–3–26; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1411]

Certain Photodynamic Therapy Systems, Components Thereof, and Pharmaceutical Products Used in Combination With the Same; Notice of the Commission's Determination To Lift the Partial Suspension of Enforcement of the Remedial Orders as to U.S. Patent No. 11,697,028

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (''Commission'') has determined to grant a request submitted by Sun Pharmaceutical Industries, Inc. (''Complainant'') of Princeton, New Jersey to lift the partial suspension of enforcement of the limited exclusion order (''LEO'') and cease and desist orders (''CDOs'') as to U.S. Patent No. 11,697,028 (''the '028 patent'').

FOR FURTHER INFORMATION CONTACT: B. Rashmi Borah, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2518. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on August 1, 2024, based on a complaint filed by Complainant. 89 FR 62790 (Aug. 1, 2024). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based on the importation into the United States, the sale for importation, and the sale within the United States after importation of certain photodynamic therapy systems, components thereof, and pharmaceutical products used in combination with the same by reason of infringement of certain claims of the U.S. Patent Nos. 11,446,512 (''the '512 patent'') and the '028 patent. *Id.* The complaint further alleges that a domestic industry exists or is in the process of being established. *Id.* The notice of investigation names Respondents as respondents. *Id.* The Office of Unfair Import Investigations was not a party to this investigation. *Id.*

On September 30, 2026, the presiding administrative law judge issued a final initial determination (''FID'') finding a violation of section 337 with respect to each of the asserted claims. As relevant to the subject request, the FID finds that the asserted claims of the '028 patent are not invalid as obvious.

On January 28, 2026, the Commission determined to review the FID in part. 91 FR 4630 (Feb. 2, 2026). As relevant to the current request, the Commission determined to review the FID's finding that the asserted claims of the '028 patent are not invalid as obvious.

On February 23, 2026, the Patent Trial and Appeal Board issued a final written decision (''FWD'') finding all asserted claims of the '028 patent invalid as obvious.

On May 6, 2026, the Commission issued a final determination finding a violation of section 337 by Respondents with respect to all remaining asserted claims. 91 FR 25595–96 (May 11, 2026). As relevant to the subject request, the Commission affirmed the FID's finding that the asserted claims of the '028 patent are not invalid as obvious and found a violation of section 337 as to the '028 patent and the '512 patent. *Id.* at 25596. The Commission determined to issue an LEO and CDOs as to each of Respondents and also set a bond in the amount of zero percent during the period of Presidential review. *Id.* However, the Commission suspended enforcement of the remedial orders in part upon issuance as to the '028 patent, in light of the FWD. *Id.*

On July 29, 2026, the Director of the United States Patent and Trademark Office issued an order vacating the FWD in its entirety. *See Biofrontera Inc. et al.* v. *Sun Pharm. Indus. Inc.,* IPR2024–01312, Paper No. 58 (Order) (July 29, 2026).

On July 31, 2026, Complainant submitted a letter requesting that the

Commission take judicial notice of the order vacating the FWD and lift the suspension of enforcement of the remedial orders as to the '028 patent.

The Commission, having reviewed the record in this investigation, including Complainant's letter and the Director's order vacating the FWD, has determined to lift the suspension of enforcement of the remedial orders as to the '028 patent.

The Commission vote for this determination took place on September 1, 2026.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: September 1, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–18101 Filed 9–3–26; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Antitrust Division

United States v. KKR & Co. Inc., et al.; Proposed Final Judgment and Competitive Impact Statement

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)–(h), that a proposed Final Judgment, Stipulation, and Competitive Impact Statement have been filed with the United States District Court for the Southern District of New York in *United States of America* v. *KKR & Co. Inc., et al.,* Civil Action No. 1:25–cv–343–LTS. On January 14, 2025, the United States filed a Complaint alleging that KKR & Co. Inc. and various related entities (including KKR & Co. GP LLC) failed to make complete and accurate premerger filings at least sixteen separate times, violating Section 7A of the Clayton Act, 15 U.S.C. 18a. The proposed Final Judgment, filed on August 26, 2026, requires KKR & Co. GP LLC to pay a civil penalty in the amount of $250,000,000 to the United States within thirty calendar days of entry of the Final Judgment.

Copies of the Complaint, proposed Final Judgment, and Competitive Impact Statement are available for inspection on the Antitrust Division's website at *http://www.justice.gov/atr* and at the Office of the Clerk of the United States District Court for the Southern District of New York. Copies of these materials may be obtained from the Antitrust Division upon request and payment of the copying fee set by Department of Justice regulations.

Public comment is invited within 60 days of the date of this notice. Such comments, including the name of the submitter, and responses thereto, will be posted on the Antitrust Division's website, filed with the Court, and, under certain circumstances, published in the **Federal Register**. Comments should be submitted in English and directed to Danielle Hauck, Acting Chief, Technology and Digital Platforms Section, Antitrust Division, Department of Justice, 450 Fifth Street NW, Suite 7100, Washington, DC 20530 (email address: *ATR.Public-Comments-Tunney-Act-MB@usdoj.gov*).

Suzanne Morris,

Deputy Director Civil Enforcement Operations, Antitrust Division.

United States District Court

Southern District of New York

UNITED STATES OF AMERICA, U.S. Department of Justice, Antitrust Division, 450 5th St. NW, Washington, DC 20530, Plaintiff, v. *KKR & CO. INC., 30 Hudson Yards, New York, NY 10001, KKR & CO. GP LLC, 30 Hudson Yards, New York, NY 10001, KOHLBERG KRAVIS ROBERTS & CO. L.P., 30 Hudson Yards, New York, NY 10001, KKR AMERICAS FUND XII L.P., c/o Kohlberg Kravis Roberts & Co. L.P., 30 Hudson Yards, New York, NY 10001, KKR AMERICAS FUND XII (KESTREL) L.P., c/o Kohlberg Kravis Roberts & Co. L.P., 30 Hudson Yards, New York, NY 10001, KKR AMERICAS FUND XII (THRIVE) L.P., c/o Kohlberg Kravis Roberts & Co. L.P., 30 Hudson Yards, New York, NY 10001, KKR APPLE AGGREGATOR L.P., c/o Kohlberg Kravis Roberts & Co. L.P., 30 Hudson Yards, New York, NY 10001, KKR CHORD IP AGGREGATOR L.P., 30 Hudson Yards, New York, NY 10001, KKR CORE HOLDING COMPANY LLC, c/o Kohlberg Kravis Roberts & Co. L.P., 30 Hudson Yards, New York, NY 10001, KKR CORE II HOLDING COMPANY LLC, c/o Kohlberg Kravis Roberts & Co. L.P., 30 Hudson Yards, New York, NY 10001, KKR DCIF LOWER ENTITY III SCSP, c/o Kohlberg Kravis Roberts & Co. L.P., 30 Hudson Yards, New York, NY 10001, KKR GLOBAL IMPACT FUND SCSP, c/o Kohlberg Kravis Roberts & Co. L.P., 30 Hudson Yards, New York, NY 10001, KKR GLOBAL INFRASTRUCTURE INVESTORS IV USD (APPLE) L.P., c/o Kohlberg Kravis Roberts & Co. L.P., 30 Hudson Yards, New York, NY 10001, KKR NORTH AMERICA FUND XIII SCSP, c/o Kohlberg Kravis Roberts & Co. L.P., 30 Hudson Yards, New York, NY 10001,* and *KKR OBSIDIAN AGGREGATOR LP, c/o Kohlberg Kravis Roberts & Co. L.P., 30 Hudson Yards, New York, NY 10001,* Defendants.

Case No.: 1:25–cv–343

Complaint

Defendant KKR & Co. Inc. and its co-defendant investment advisors and funds (collectively ''KKR'') are in the business of buying and selling companies, often completing over a dozen transactions each year. Many of those transactions are subject to the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (''HSR Act'') and its implementing rules, which require parties to transactions above a certain size to submit a premerger filing to the Department of Justice's Antitrust Division and the Federal Trade Commission. As one of the oldest, largest, and most-sophisticated private equity firms in the United States, KKR and its executives have for nearly five decades been subject to the HSR Act and its requirement to provide information and documents to the federal antitrust agencies, certify their accuracy, and observe the statutory waiting period before completing transactions.

Rather than comply with the law, and despite repeated sworn certifications of its compliance, KKR and its executives systematically flouted the requirements of the HSR Act. Just since 2021 KKR was required to make more than 100 premerger filings under the HSR Act. But over the course of only two years—2021 and 2022—KKR failed to make complete and accurate premerger filings at least 16 separate times. Sometimes KKR failed to include required business documents such as those that assessed competition in markets impacted by the deal, including documents that had already been circulated to its partners and investment committees, despite certifying it had done so. In at least one instance, KKR failed to correct a deficient filing to include documents that its outside counsel had in their possession, even after its outside counsel relayed the Antitrust Division's inquiries about potentially omitted documents. Sometimes KKR's executives and employees ordered or made alterations to the business documents filed including in some instances information about the competitive implications of the proposed transaction. And, for at least two transactions, KKR failed to make any pre-consummation filings at all.